



COMES NOW, Ronald J. Sommers, Chapter 7 Trustee for the above-referenced bankruptcy estate and files this his Motion to Reopen Bankruptcy Case Under § 350 of the Bankruptcy Code and Rule 5010 of the Federal Rules of Civil Procedure and would show the Court the following:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this proceeding pursuant to the provisions of 28 U.S.C. §§ 157 and 1334.

2. This is a core proceeding under 28 U.S.C. §§ 157(B)(2) and venue of this proceeding in the Southern District of Texas is proper pursuant to 28 U.S.C. § 1409.

**GENERAL BACKGROUND**

3. On April 24, 2003, Orillion U.S.A., Inc. (“Debtor”) filed a petition under Chapter 7 of the United States Bankruptcy Code (“Bankruptcy”). Ronald J. Sommers was appointed Chapter 7 Trustee for the Bankruptcy estate of the Debtors (“Trustee”).

4. The first meeting of creditors was held on May 28, 2003, and the Debtors appeared and testified regarding their schedules and statement of affairs.

5. On May 6, 2003, the Trustee filed his Notice of Assets.

6. On February 12, 2008 the Trustee filed Trustee's Notice of Submission of Final Report and Account to US Trustee.

7. On April 7, 2008 the Trustee filed Chapter 7 Trustee's Report of Distribution.

8. April 29, 2008 the Final Decree was entered thereby closing the bankruptcy case.

**MOTION TO REOPEN**

9. Section 350(b) of the Bankruptcy Code provides that, “[a] case may be reopened in the court in which such case was closed to administer assets, to accord relief to the debtor, or for other cause.”

10. On August 5, 2009 the Trustee spoke with a representative of the Keane Organization, Inc. stating that they had located in excess of \$18,000 that belonged to the Estate. The Trustee must disburse these monies to the appropriate creditors. At this time, it appears that the money will provide a pro rata distribution to priority unsecured creditors.

11. The Trustee requests this court reopen the Bankruptcy case to administer assets and reappoint him as Chapter 7 Trustee.

WHEREFORE, PREMISES CONSIDERED, the Trustee respectfully prays that the Court grant this Motion and the relief requested herein and that the Trustee be granted such other and further relief to which he may be justly entitled.

Respectfully submitted,

By: /s/ Ronald J. Sommers  
Ronald J. Sommers  
State Bar No. 18842500  
2800 Post Oak Blvd., 61<sup>st</sup> Floor  
Houston, Texas 77056  
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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the Motion to Reopen Bankruptcy Case Under § 350 of the Bankruptcy Code and Rule 5010 of the Federal Rules of Civil Procedure has been served on the parties listed on the attached service list, by U.S. mail, first class, postage prepaid, on the 5<sup>th</sup> day of August, 2009.

/s/ Ronald J. Sommers

Ronald J. Sommers

### Service List

#### Debtor

Orillion USA Inc  
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Houston, TX 77024

#### Debtor's Attorney

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#### U.S. Trustee

Office of the US Trustee  
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Houston, TX 77002

### Creditors

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**Parties Requesting Notice**

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